

**THE GOVERNOR'S TASK FORCE REGARDING THE MANAGEMENT OF
PUBLIC LANDS AND PUBLICLY-HELD EASEMENTS**

MINUTES

August 29, 2007

9:00 – 4:00 pm

Penobscot County Conservation Association

Brewer, Maine

Task Force Members Present

Bruce Kidman – The Nature Conservancy
Greg Chute – The Chewonki Foundation
John Rust – Maine Professional Guides Association
Al Coperthwaite – North Maine Woods
Karen Woodsum – The Sierra Club Maine Chapter
Jon Fitzgerald – Maine Huts & Trails
George Smith, Sportsman's Alliance of Maine
Walter Graff – Appalachian Mountain Club
Marcia McKeague – Katahdin Timberlands
Jon Lund – Maine Sportsman
Sally Stockwell – Maine Audubon
Alan Hutchinson - The Forest Society of Maine
Raymond Wotton – Landowner (former House member)
Bob Meyers - Maine Snowmobile Association

Legislative Members Present

Rep. Donald Marean of Hollis
Rep. Jackie Lundeen of Presque Isle
Sen. Bruce Bryant of Oxford County
Sen. Kevin Raye of Washington County

Others Present

Rep. Tim Carter of Bethel
James Cote, Eaton Peabody

Agency Representatives / Staff

Patrick McGowan – Commissioner, Department of Conservation
Will Harris – Director, Bureau of Parks & Lands
Bob Duplessie - Department of Conservation
Mackenzi Keliher – Bureau of Parks & Lands
John Titus, Bureau of Parks & Lands
Malcolm Burson, Department of Environmental Protection

- I. Malcolm Burson opened the meeting and defined his role as facilitator and hope for the meeting. The process would not necessarily involve negotiation or consensus building, but would aim at substantive agreement. As facilitator he would be an interventionist. Two simultaneous themes/goals:
- Identify Common Interests
 - Identify Roots of Conflict
 - i. Participants were encouraged to talk about their interests and not public positions, as interest = values
 - 1. Example of position: There needs to be more ATV trails
 - 2. Example of interest: Motorized users are feeling squeezed out
 - Malcolm presented round rules and asked for the group's agreement. Participants are asked to be: open; direct; respectful even during disagreement; do not speak in the third person; those that may agree today, but change their opinion / statement after the meeting were encouraged to leave; talk about substance without using names; silence = agreement in terms of significant conclusions; be positive.

II. *Identify our individual and common interests and values related to outdoor recreation* – four groups were tasked with identifying three qualities of each topic and two impediments or barriers to the values they identified. Once the groups finished, one member moved counter-clockwise and reported back to the Task Force on their new group's findings:

- Motorized
 - i. Values
 - 1. Gives people the ability to access areas they may not be able to on foot.
 - 2. Economic benefit to communities.
 - 3. Family / social benefits; an outdoor activity all can enjoy together.
 - ii. Impediments
 - 1. Lack of access – breaks in system.
 - 2. Negative perception of motorized use
- Non-Motorized
 - i. Values
 - 1. Physical challenge.
 - 2. Quality of remoteness.
 - 3. Direct contact with the natural world.
 - ii. Impediments
 - 1. Conflicting uses.
 - 2. Lack of planning.
- Hunting & Fishing
 - i. Values
 - 1. Quantity and quality of fish and game.
 - 2. Access and opportunity.
 - 3. Nice setting and environment (to fish, hunt and trap).
 - ii. Impediments
 - 1. No access.
 - 2. Political threat of losing opportunities.
 - 3. Poor and lost habitat.
- Land Conservation
 - i. Values
 - 1. Values Completing land deals when everyone is fully engaged (includes array of stakeholders and all attributes* and interests*) while developing projects e.g. selection, design & management.
 - 2. Consider wildlife habitat and ecological values of land in addition to recreational and human interests.
 - 3. Look for opportunities to conserve existing values (e.g. no development) or gaps (e.g. old growth).

*definitions: *Attributes = ecological, economic, recreational & cultural*

Interests = human user (on the ground management)

- ii. Impediments
 - 1. Fear that not all attributes or interests are being taken care of and the expectation that every parcel of land should service all attributes and interests, including existing and past uses.
 - 2. Need for private discussions in short time frame to deliver public interest values (creates perception of back room “deal”)

Malcolm then presented the group with a summary of themes and elements groups had in common, including

- The importance of a healthy habitat / outdoor environment
- Opportunities for access
- “The experience” of the outdoors and the natural world for individuals, families, etc.
- A sense of inclusion [*i.e.*, that each groups’ important values are recognized by others]

III. *Identifying the sources of conflict* – three groups were tasked with identifying three key reasons or root of past conflicts

- Group 1
 - i. Someone fears losing something now or in the future.
 - ii. Real differences in value judgments / philosophical views.
 - iii. Raising or joining conflict for strategic reasons.

Note: Conflict is diminished or exacerbated by communication (lack thereof; assumptions and mischaracterizations; misinformation perhaps based on fears or preconceived notions; inability or unwillingness to listen effectively).

- Group 2
 - i. Fear of losing what you have.
 - ii. Individuals represent organizations in task forces, agreements, etc., and then need to answer to organizational needs / concerns (and then have difficulty bringing constituencies along).
 - iii. Sometimes a specific interest is left out of the decision making process.

Note: The nature and complexity of the process and the various demands on state government exacerbate conflicts.

- Group 3
 - i. Deals get sprung by announcing entities baggage and a lack of early inclusion (in both information and communication).
 - ii. Maine is changing in values, creating a fear of displacement (of traditional uses).
 - iii. No big picture.
 1. How will we meet the needs of all uses?
 2. Ad hoc approach.

Malcolm summarized the common impediments as:

- Perceptions (within different interest groups, and perceptions of others)
- Fears
- “politics” (meant generically)

and observed that all of these are within our individual and group control with regard to how powerful they are, and what effect they have.

IV. *Building New Ways to Work Together.* The entire group built on the previous statement of another member, using the word “and” instead of “but,” to eliminate any negativity while validating and adding a new thought to the previous statement.

There is room in the State for everyone to have their experience, (but not all at the same site), enabling all to enjoy Maine land...

Time is now for all to come together because Maine is changing....

Commonalities among the users that care are greater than any discord.....

Reward land managers who manage land for healthy habitat and provide opportunities for access and for all to have their “experience”

Manage the process so that people don’t feel excluded from the decision making process.....

Establish a level of trust that rewards inclusion....

Encourage responsible use....

Maintain a good communication network (for transparency).....

Finding ways to maintain access to communication with those who have different opinions.....

Respect the value of different uses, recognizing that they all have a legitimate place in the mix....

Finding more ways to (and by) diversifying user groups you will encourage people to become better stewards.....

Working cooperatively increases gain for all.....

Common goal needed to represent all user groups – start with goals that represent individual user groups.

NEW THREAD

Certain uses may often be incompatible with others – incompatible uses with others values and uses...

Segregation in either time or place is essential.....

May be other ways to manage this or other than in time and place, with an eye toward recognition of the essential nature of segregation to promote “the experience”....

Minimize exclusion and incompatibilities....

Some people may have different values at different times....

Avoid labeling and dividing....

All user groups need to contribute financially for the use of lands....

All should contribute to healthy society and economy in Maine.

V. 3 Workgroups on specific issues:

- Unique role of public lands. *What is the unique role of public lands in providing a variety of uses?*
 - i. Guaranteed public access (subject to rules) open to everyone with little to no cost to the user
 - ii. Habitat protection especially in areas where it is not economical (on private lands) – long rotation / old growth / wildlife management
 - iii. Opportunity for demonstration and interpretive and educational work.

- iv. Recreation uses at ends of spectrum – large area, remote uses v heavily used, intensive.
- v. Assurance of certain level of recreational opportunity and ecological representation.
- vi. Conserve / protect key natural features such as wild rivers, beaches, coast (bold), mountains and waterfalls.
- vii. Provide opportunities for families and social groups to spend time together in the natural world.
- What lands need to be open only to some uses? What public lands or portions of land need to open only to some uses for certain uses, or at certain times and how should it be decided?
 - i. A single parcel need not be treated in a single way for certain uses, taking into consideration surrounding landscape and access opportunities.
 - 1. Things to consider - surrounding landscape, access, ecological gems, native trout populations above treeline, revisit IRP, and create better understanding of ER's and access opportunities.
 - NOTE: Rule of thumb for motorized hunting is 1 mile.
 - ii. Use should be restricted when it negatively impacts primary resources, providing for unique (motorized and non-motorized) experiences.

Facilitator's note: there was agreement that this item needed discussion in further depth by all TF participants.
- Inventory of what works / models and what does not.
- Role of private landowners with publicly-held easements. (Group chose to start with questions.)
 - i. What can be the role of private lands be for recreation, etc., (with our without easements) and how should we encourage this?
 - ii. Do we need private lands and landowners to support our meet our goals / elements? YES
 - iii. What can users do to encourage landowners to help meet the goals / elements?

Note: 95% of small trails are on private lands.

 - 1. Help educate the public – build and understanding and respect for what private landowners provide and that the role of forestry on private lands = conservation.
 - 2. Respect the landowners need to limit and manage recreational use.
 - 3. Landowner recognition and communication.
 - 4. Assist in policing problems.
 - 5. Secure State and Federal funds for easement acquisitions, management and cost sharing.
 - 6. Leave Tree Growth alone! Recognize that there are other ways through public policy to assist with costs.

VI. Observations from participants about today's process....

- Illuminating and as conflict is inherent in this process. Question becomes how do deal with conflict.
- Easy.
- On a conceptual level there is agreement about what the issues are what the baggage is.

VII. Common Issues & Impediments

- Issues
 - i. Fear of losing what we have.
 - ii. Bringing constituency along.

- iii. Bring all side to the table.
- iv. Maine is changing, large ownership changes can displace user groups and small brings change in values (those not originally from Maine).
- v. Lack of vision or big picture.
- vi. Real difference in philosophies, values and judgments.
- vii. Raising or joining conflict for various groups.

VIII. Updates and presentations on information requested at the last meeting.

- Commissioner McGowan and BPL director provided an update on numbers or trails and acreage in public ownership.
- Vast majority of motorized trails are on private land. (See binder and handouts)
- Visitor days – if there were greater capacity at high volume locations, there may not be a decline – it would enable to accommodate all – such as at Sebago.

IX. At the end of the day, Malcolm review the items that had been placed in the “parking lot” for discussion in the future. These included:

- The importance of establishing a continuing *place* to “keep the conversation safely alive;”
- Continuing to build an understanding of why and how some uses are incompatible;
- How to address the three principle barriers identified in the morning; and
- The importance of inter-agency cooperation on resource issues.

The group asked that these be part of the conversation at the next gathering. There was agreement that another meeting similar to this would be valuable before any public information meetings are held. Walter Graf volunteered to host the next meeting at Little Lyford; however, the group was unable to arrive at a proposed date. DOC staff will seek to find one, and then check to see if Little Lyford is available.

X. Next Steps

- Public listening sessions – may get more helpful information if we have draft recommendations. September meeting will not have a public meeting component.
- Create a visual succinct map.
- Need to come to common understanding – create place to continue conversations.
- Need concrete steps before going to public – public not process orientated.
- Steering committee will make recommendations and distribute with minutes to group.
- Show public inventory presentations? What does the public want?
- Multiple listening sessions regionally, with a few members of the task force at each?
- Oct public meetings and November next meeting of full Task Force.
- Keep conversations alive, regardless of EO deadline.
- Interagency coordination.

XI. What worked and what didn't....

- Better than expected
- Good discussion
- Lots of progress
- Like the reporting
- Good participation in group #2
- Breaks worked well, well timed